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2026



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International Criminal Court
Yusef Zaanoun, Gaza City, Oct. '25

Palestine & The ICC:

A Timeline



AL-HAQ

February 2026

Preface

Since 2009, when the Palestinian Authority first sought to transfer jurisdiction over the 'Situation in the State of Palestine' to the International Criminal Court (ICC), Al-Haq has emphasised the potential value of the Court in holding to account those individuals responsible for war crimes, crimes against humanity, and the crime of genocide.

Subsequent Palestinian interaction with the Court became bound up with questions of statehood and self-determination leading to prolonged delay. Since early 2021, when the Court affirmed it could exercise jurisdiction in the State of Palestine, and the Office of the Prosecutor moved to open the investigation into the 'Situation in the State of Palestine', Israeli repression of Palestinian human rights has both consistently deepened and escalated.

By November 2024, when the Court issued arrest warrants for Israel's Prime Minister Netanyahu, and then Minister of Defence, Gallant, on charges of war crimes and crimes against humanity, Israeli repression had already been characterised as genocide. Israel's policy up until the point where the Office of the Prosecutor announced its intention to apply for the arrest warrants had been to not engage directly with the Court. Since mid-2024 however, Israel has filed a range of claims, applications, and requests in an attempt to appeal against the arrest warrants before the Court, delaying the processes underway.

Israel's key ally, the United States, has in turn attacked the Court's ability to function through an array of threats and sanctions, which were weaponised against Al-Haq in September 2025 for its prominent role in promoting accountability for Israel's mass atrocities against the Palestinian people. Despite repeated delays, obfuscation, and threats, Al-Haq continues to stress the importance of the Court and the legal values and principles incorporated in the Rome Statute.

Still, the Court has, as of yet, been unable to provide justice and accountability for the ever-increasing crimes being perpetrated daily in unlawfully occupied Palestine. Its potential to end impunity globally, is clearly evidenced by the fact that the Court and its staff, as well as those who engage with it, are subject to intensifying threats and sanctions from both Israel and the United States.

The following timeline provides an overview of the key Palestine-related developments before the ICC.

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22 January 2009

In the aftermath of “Operation Cast Lead”, Minister of Justice of the Palestinian Authority (PA) lodges a declaration under Art 12(3) of the Rome Statute accepting the jurisdiction of the International Criminal Court (ICC) for “acts committed on the territory of Palestine since 1 July 2002”

20 October 2010

The ICC’s Office of the Prosecutor [hosts](#) a roundtable debate, in which Al-Haq participates, as to whether to accept the PA’s declaration under Art 12(3) Declaration

3 April 2012

Chief Prosecutor Luis Moreno-Ocampo rejects Palestine’s declaration under Art 12(3) [concludes](#) the preliminary examination on the basis that Palestine’s statehood had not been determined by the United Nations (UN) or the Assembly of States Parties

29 November 2012

UN General Assembly passes resolution 67/19, granting Palestine ‘non-member observer State’ status, supporting Palestine’s ascension to the Rome Statute and future engagement with the ICC

1 January 2015

State of Palestine lodges a declaration under Art 12(3) of the Rome Statute accepting the jurisdiction of the ICC over alleged crimes committed “in the occupied Palestinian territory, including East Jerusalem, since June 13, 2014”

16 January 2015

Chief Prosecutor Fatou Bensouda announces the opening of a preliminary examination into the Situation in the State of Palestine

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1 April 2015

Rome Statute enters into force for Palestine, after its accession on 2 January 2015

22 May 2018

State of Palestine makes a state referral to the Prosecutor regarding “past, ongoing and future crimes within the court’s jurisdiction, committed in all parts of the territory of the State of Palestine”

20 December 2019

Prosecutor Bensouda [announces](#) that following a thorough, independent and objective assessment of available information, all the statutory criteria under the Rome Statute for the opening of an investigation into the Situation in the State of Palestine had been met. However, the Prosecutor would be making a request to Pre-Trial Chamber (PTC) I for a ruling to clarify the territorial scope of the Court’s jurisdiction

22 January 2020

Prosecutor submits request pursuant to Art 19(3) for a ruling on territorial jurisdiction by PTC I

16 March 2020

PTC I receives 43 *amici curiae*, including from individual States: Australia, Austria, Brazil, the Czech Republic, Germany, Hungary, and Uganda, which all support Israeli impunity. International organisations including the League of Arab States, representing 22 States, and the Organisation of Islamic Cooperation, representing 57 States, argue in support of territorial jurisdiction based on Palestinian statehood

A joint [submission](#) is made on behalf of the Palestinian Centre for Human Rights (PCHR), Al-Haq, Al Mezan, and Al-Dameer

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11 June 2020

The US issues [Executive Order](#) (EO) 13928 imposing economic sanctions and visa restrictions on ICC officials supporting proceedings against the US and its allies

2 September 2020

United States (US) [imposes sanctions](#) on Prosecutor Bensouda and Phakiso Mochochoko, Head of the Jurisdiction, Complementarity and Cooperation Division of the OTP

5 February 2021

PTC I [rules](#) that the Court can exercise its criminal jurisdiction in the Situation in the State of Palestine and that the territorial scope of this jurisdiction extends to Gaza and the West Bank, including East Jerusalem

3 March 2021

Prosecutor [announces](#) the initiation of an investigation in the Situation in the State of Palestine with respect to “crimes within the jurisdiction of the Court that are alleged to have been committed in the Situation since 13 June 2014”

8 April 2021

Israel sends a letter to the Prosecutor indicating its “firm [...] view that the Court manifestly lacks jurisdiction” and that Israel’s “robust legal system [...] has and will continue to examine and investigate rigorously all allegations of misconduct or crimes”

15 – 16 June 2021

Chief Prosecutor Bensouda completes 9-year mandate, Karim Khan replaces her as Chief Prosecutor

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17 November 2023

In the wake of Israel launching its genocidal campaign against Palestinians in Gaza, South Africa, Bangladesh, Bolivia, Comoros, and Djibouti jointly [refer](#) the Situation in the State of Palestine to the OTP, highlighting specific Rome Statute crimes – such as the genocidal acts of killing, causing serious bodily or mental harm, and creation of conditions of life calculated to destroy, along with war crimes and crimes against humanity prohibiting the deliberate targeting of civilians and civilian infrastructure – for investigation

18 January 2024

Chile and Mexico jointly [refer](#) the Situation in the State of Palestine to the OTP, based on the gravity of the situation in the Gaza Strip and Israel's indiscriminate targeting of civilians

1 May 2024

Israel sends letter to the Prosecutor, requesting they “defer any investigation [the office] may be conducting in relation to any alleged criminal acts attributed to Israeli nationals or others within Israel’s jurisdiction, in favour of Israel’s processes for review, examination, investigation and proceedings under its national legal system”

Prosecutor responds to the Deferral Request on May 7th, indicating that, having “expressly declined to make an application for deferral of the investigation within the prescribed time limit”, Israel has “no standing now, under the Statute, to make such an application”

20 May 2024

In an unprecedented move, and *prior* to their approval by the PTC, the Prosecutor *publicly* [announces](#) the filing of an application for arrest warrants, including for Israel’s Prime Minister Benjamin Netanyahu and Minister of Defence, Yoav Gallant

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22 July 2024

In another unprecedented move the UK challenges the State of Palestine's criminal jurisdiction over Israeli nationals in respect of the Oslo Accords. PTC I [grants](#) States, international organisations, NGOs and individual experts leave to submit *amici curiae* (written observations) in the procedural context of Art 58 Rome Statute, causing further delay in the proceedings

6 August 2024

Over 60 *amici curiae* are submitted, including a joint [submission](#) by Palestinian organisations Al-Haq, PCHR and Al-Mezan which noted that the legal request submitted by the UK which had prompted this procedure "had an unwelcome, unnecessary, and unwarranted delaying effect" on the issuance of arrest warrants

Amici curiae in support of accountability included States such as, Colombia, Chile, Mexico, South Africa, Bangladesh, Bolivia, Comoros, and Djibouti, Spain, Norway and Ireland, while States in support of Israel included the United States (despite not being an ICC State Party), Germany, Argentina, Czech Republic, Hungary, and the Democratic Republic of Congo

20 September 2024

Israel files a challenge to the jurisdiction of the Court pursuant to Art 19(2) of the Rome Statute

23 September 2024

Israel submits a [request](#) for an order to "the Prosecutor to give an Art 18(1) notice setting out the new defining parameters of his investigation in this Situation, or in any other Situation that has now been constituted as a result of the two referrals made by a total of seven States Parties following 7 October 2023"

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21 November 2024

PTC I:

1. [Rejects](#) Israel's [Art 18\(1\)](#) request and Israel's [Art 19\(2\)](#) challenge
2. [Issues](#) warrants of arrest for amongst others, Israeli Prime Minister Benjamin Netanyahu and former Defence Minister Yoav Gallant

27 November 2024

Israel files notice of appeal against PTC I decision to reject the Art 18(1) request

6 February 2025

The US issues [Executive Order](#) (EO) 14203 [authorizing](#) the use of asset freezes and entry bans on ICC officials and others supporting proceedings against the US and its allies

Chief Prosecutor Karim Khan is the first to be sanctioned

14 May 2025

PTC I [grants](#) Israel leave to appeal Art 18(1) decision, specifically: “[w]hether the Pre-Trial Chamber erred in finding that no new situation had arisen, and that no substantial change had occurred in the parameters of the investigation into the [Palestine Situation], following 7 October 2023”

5 June 2025

Four ICC Judges directly engaged in authorizing investigations in Afghanistan and arrest warrants for Israeli officials are sanctioned by the US under EO 14203

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9 July 2025

UN Special Rapporteur on the occupied Palestinian territories is sanctioned by the US under EO 14203

20 August 2025

Two Deputy Prosecutors and two additional Judges at the ICC are sanctioned by the US under EO 14203 based on their roles in upholding arrest warrants and continuing investigations into Israeli personnel

4 September 2025

In response to the key role played by Palestinian civil society in advancing accountability efforts at the ICC, the US sanctions Al-Haq, Al-Mezan and PCHR under EO 14203

19 November 2025

Israel files a [request](#) to disqualify the Prosecutor and for the arrest warrants against Netanyahu and Gallant to be rescinded

15 December 2025

Appeals Chamber [reaffirms](#) the ruling of PTC I rejecting Israel's Art 18(1) request

18 December 2025

Two additional Judges – making a total of eight – are sanctioned by the US under EO 14203 for their role in the 15 December 2025 Appeals Chamber decision confirming the jurisdiction of the ICC in the 'Situation in the State of Palestine'

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20 February 2026

Appeals Chamber **rejects** the “Joint Victims’ Request to submit Observations on Israel’s ‘Request to Disqualify the Prosecutor and for Ancillary Remedies’” on the basis that the Office of Public Counsel for Victims was already granted leave to submit written submissions on the general interests of victims

Joint dissenting opinion of Judge Luz Del Carmen Ibáñez Carranza and Judge Solomy Balungi Bossa outlines why the Request should have been granted